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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/011,027	11/02/2001	Laurent Scallie	ATL-P1	7510

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EXAMINER

JONES, SCOTT E

ART UNIT PAPER NUMBER

3713

DATE MAILED: 03/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/011,027

Applicant(s) **MF**

SCALLIE ET AL.

Examiner

Scott E. Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. The abstract of the disclosure is objected to because it exceeds 150 words as required by 37 C.F.R. § 1.72(b). Correction is required. See MPEP § 608.01(b).
2. The disclosure is objected to because of the following informalities:
  - On page 9, line 14, information is missing.
  - On page 18, line 8, the patent application number is missing.Correction is required.
3. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 3, 7, 8, 9, 10, 11, 12, 13, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's disclosure.

Applicant's disclosure discloses the lower quality, "single signal" methods are typically used by lower-priced stereovision hardware, like LCD glasses. Some hardware vendors, such as nVidia Corp., of Santa Clara, Calif., have recently provided support for single-signal, stereo vision formats. For example, the nVidia stereo vision drivers are contained within the nVidia

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video card-specific driver, nvdisp.drv. The nVidia driver effectively converts a 3D game written for DirectX or OpenGL to be viewable in stereo vision using any single-signal 3D device that is connected to the nVidia video card. However, these card-specific drivers only work if the manufacturer's video card is used. Conventional hardware manufacturers do not support card-independent high-end, separate right and left image signals (Page 10).

Furthermore, these elements are disclosed in product information obtained from (vrstandard.com).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4-6, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's disclosure.

Applicant's disclosure discloses that as discussed above regarding Claims 1, 2, 3, 7, 8, 9, 10, 11, 12, 13, and 14. However, Applicant's disclosure lacks explicitly stating that nVidia's system and method have stereoscopic display function calls linked under the same name as the game software's native API for 2D display. However, applicant's instant invention and nVidia's invention as disclosed in applicant's specification perform the same function. Furthermore, to one having ordinary skill in the art at the time of applicant's invention, it would have been obvious to rename the 3-D application software file the same as the 2-D application software file. One would be motivated to do so because this would require less effort programming the 3-D

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application software since the file names would already be provided to add into the programming code.

Furthermore, nVidia's product information indicates separate data is provided to the left and right displays of the 3-D glasses, applicant's disclosure lacks explicitly stating that nVidia's system and method have a 3D stereoscopic display using separate graphics cards for rendering right and left image viewpoints for the 3-D stereoscopic display.

However, to one having ordinary skill in the art at the time of applicant's invention, it would have been obvious to use separate graphics cards for rendering right and left image viewpoints for the 3-D stereoscopic display. One would be motivated to do so because using one or two graphics cards to render right and left images are well within standard engineering guidelines and principles.

### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Omori et al. '017, Lazzaro et al. '989, Hiraoka '600, Roese et al. '529, Stephens '033, Kanno '749, Swift et al. '581, Eilat et al. '974, Ahdoot '727, Van Hook et al. '892 disclose virtual reality video games having stereoscopic-image graphics processing systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (703) 308-7133. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone

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numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

Sej

sej

March 17, 2003



VALENCIA MARTIN-WALLACE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700